



IPW

Practitioner's Docket No. HES 2003-IP-012703U1P1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____
Inventor(s)

for _____
Title of invention

OR

In re application of: William W. Shumway

Application No.: **0** 10/ 829,484

Group Art Unit: 1712

Filed: April 22, 2004

Examiner: unknown

For: Polymer-Based, Surfactant-Free Emulsions and Methods of Use Thereof

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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Sheila Gibbs
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Date: 7-15-04

Sheila Gibbs
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* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [8-3]—page 1 of 3)

NOTE: 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

WARNING: No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.496. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 38). See also § 609, M.P.E.P., 8th Edition.

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

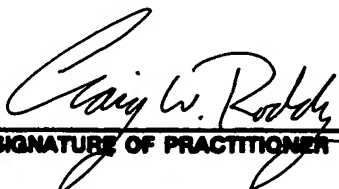
NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

Reg. No.: 36,256

Tel. No.: (580) 251-3012

Customer No.:


SIGNATURE OF PRACTITIONER

Craig W. Roddy
(type or print name of practitioner)

P.O. Box 1431
P.O. Address

Duncan, OK 73536-0440



PATENT
HES 2003-IP-012703U1P1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William W. Shumway)
)
) Art Unit: Unknown
)
Serial No.: unknown)
)
Filed: concurrently herewith) Examiner: Unknown
)
For: POLYMERBASED, SURFACTANT-FREE)
EMULSIONS AND METHODS OF USE)
THEREOF

INFORMATION DISCLOSURE STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SIR:

The following documents are known to Applicants or Applicants' attorneys and are submitted for the Examiner to consider in the above-captioned application.

U. S. PATENTS

U.S. Patent No. 3,125,517 issued March 17, 1964 to Ronald L. Voda et al.

U.S. Patent No. 3,826,771 issued July 30, 1974 to Donald R. Anderson et al.

U.S. Patent No. 4,033,784 issued July 5, 1977 to Michael B. Lawson et al.

U.S. Patent No. 4,068,676 issued January 17, 1978 to Donald J. Thorn et al.

U.S. Patent No. 4,107,057 issued August 15, 1978 to Walter R. Dill et al.

U.S. Patent No. 4,108,681 issued August 22, 1978 to Michael B. Lawson et al.

U.S. Patent No. 4,392,917 issued July 12, 1983 to Stanley A. Lipowski et al.

U.S. Patent No. 4,460,483 issued July 17, 1984 to Jimmie d. Weaver.

U.S. Patent No. 4,480,696 issued November 6, 1984 to Stephen W. Almond et al.

U.S. Patent No. 4,502,963 issued March 5, 1985 to Bobby R. Harmon et al.

U.S. Patent No. 4,519,455 issued May 28, 1985 to Marlin D. Holtmyer et al.

U.S. Patent No. 4,554,082 issued November 19, 1985 to Marlin D. Holtmyer et al.

U.S. Patent No. 4,627,495 issued December 9, 1986 to Phillip C. Harris et al.

U.S. Patent No. 4,659,486 issued April 21, 1987 to Bobby R. Harmon.

U.S. Patent No. 4,670,550 issued June 2, 1987 to Jan J. Bleeker et al.

U.S. Patent No. 4,772,646 issued September 20, 1988 to Weldon M. Harms et al.

U.S. Patent No. 5,021,170 issued June 4, 1991 to Thomas G. Shumate et al.

U.S. Patent No. 5,194,422 issued March 16, 1993 to Heinz Mueller et al.

U.S. Patent No. 5,232,910 issued August 3, 1993 to Heinz Mueller et al.

U.S. Patent No. 5,252,554 issued October 12, 1993 to Heinz Mueller et al.

U.S. Patent No. 5,254,531 issued October 19, 1993 to Heinz Mueller et al.

U.S. Patent No. 5,294,353 issued March 15, 1994 to Walter r. Dill.

U.S. Patent No. 5,318,956 issued June 7, 1994 to Heinz Mueller et al.

U.S. Patent No. 5,355,958 issued October 18, 1994 to Richard W. Pauls et al.

U.S. Patent No. 5,427,699 issued June 27, 1995 to Richard W. Pauls et al.

U.S. Patent No. 5,489,394 issued February 6, 1996 to William G.F. Ford et al.

U.S. Patent No. 5,830,483 issued November 3, 1998 to Kurt Seidel et al.

U.S. Patent No. 5,869,434 issued February 9, 1999 to Heinz Mueller et al.

U.S. Patent No. 5,909,774 issued June 8, 1999 to James E. Griffith et al.

U.S. Patent No. 5,939,081 issued August 17, 1999 to Achim Ansmann et al.

U.S. Patent No. 6,218,342 B1 issued April 17, 2001 to Avind D. Patel.

U.S. Patent No. 6,268,406 B1 issued July 31, 2001 to Jiten Chatterji et al.

U.S. Patent No. 6,315,042 B1 issued November 13, 2001 to James E. Griffith et al.

U.S. Patent No. 6,422,325 B1 issued July 23, 2002 to Darrell L. Krieger.

U.S. Patent No. 6,435,276 B1 issued August 20, 2002 to James D. Kercheville et al.

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U.S. Patent No. 6,596,670 B1 issued July 22, 2003 to Heinz Mueller et al.

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U.S. Patent No. 5,494,120 issued February 27, 1996 to Arthur H. Hale et al.

U.S. Statutory Invention Registration No. H837 published November 6, 1990 to Dennis G. Peiffer et al.

U.S. PATENT APPLICATION PUBLICATION

U.S. Patent Application Publication No. US 2001/0009890 A1 published July 26, 2001,
to Arvind D. Patel et al.

U.S. Patent Application Publication No. US 2001/0051593 A1 published December 13, 2001, to Arvind D. Patel.

U.S. Patent Application Publication No. US 2002/0033258 A1 published March 21, 2002 to Arvind D. Patel.

U.S. Patent Application Publication No. US 2002/0125013 A1 published September 12, 2002 to James D. Kercheville et al.

U.S. Patent Application Publication No. US 2002/0148609 A1 published October 17, 2002 to James D. Kercheville et al.

U.S. Patent Application Publication No. US 2003/0075360 A1 published April 24, 2003 to Arvind D. Patel et al.

U.S. Patent Application Publication No. US 2003/0114316 A1 published June 19, 2003 to Arvind D. Patel et al.

U.S. Patent Application Publication No. US 2004/0043905 A1 published March 4, 2004 to Jeff Miller et al.

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European Patent Specification Number 0 137 538 B1 published March 14, 1990.

OTHER PUBLICATIONS

Paper entitled "Chalk Emulsion: A New Completion and Workover Fluid" By H.C.H. Darley, July 1972.

SPE 77497 entitled "Crude Oil Emulsions: A State-Of-The Art Review" By Sunil Kokal, dated October 2002.

Paper entitled “Factors Controlling the Stability of Colloid-Stabilized Emulsions” by David E. Tambe et al., Journal of Colloid and Interface Science, dated July 1993.

Paper entitled “Factors Controlling the Stability of Colloid-Stabilizing Emulsions” by David E. Tambe et al., Journal of Colloid and Interface Science, dated October 1994.

Paper entitled “A Study of the Formation of Water-In-Oil Emulsions” by Mark Bobra.

Paper entitled “Oil Well Drilling Fluids”, pages 320-324.

Paper entitled “Droplet-Droplet Interactions In Both Direct and Inverse Emulsions Stabilized by a Balanced Amphiphilic Polyelectrolyte,” by Patrick Perrin, Langmuir The ACS Journal of Surfaces and Colloids, dated February 8, 2000, Volume 16, Number 3.

Paper entitled “Amphiphilic Copolymers: A New Route to Prepare Ordered Monodisperse Emulsions,” by P. Perrin, Langmuir 1998, 14, pages. 5977-5979.

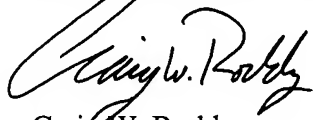
Paper entitled “Shear-Induced Formation of Ordered Monodisperse Emulsions Stabilized By an Associating Amphiphilic Polyelectrolyt,” by Patrick Perrin et al., Langmuir 2001, 17, pages 2656-2663.

Paper entitled “Rheological Behavior of Highly Concentrated Oil-in-Water (o/w) Emulsions,” by R. Pons, et al., Langmuir 1995, 11, pages 1966-1971.

Paper entitled “UV-Visible Light: A Novel Route to Tune the Type of an Emulsion,” by Iolanda Porcar et al., Langmuir 2001, 17, pages 6905-6909.

Copies of the non-patented references and Form PTO-1449 are submitted herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig W. Roddy". The signature is fluid and cursive, with the first name "Craig" being the most prominent.

Craig W. Roddy
Registration No. 36,256
Halliburton Energy Services
P. O. Box 1431
Duncan, OK 73536-0440
580-251-3012

FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTORNEY. DOCKET NO. 2003-IP-012703U1P1	SERIAL NO. unknown
	APPLICANT William W. Shumway	
	FILING DATE concurrently herewith	GROUP Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	AA	3,125,517	03/17/64	Voda et al.	252	8.5	
	AB	3,826,771	07/30/74	Anderson et al.	260	39.6 H	
	AC	4,033,784	07/05/77	Lawson et al.	134	20	
	AD	4,068,676	01/17/78	Thorn et al.	137	13	
	AE	4,107,057	08/15/78	Dill et al.	252	8.55 C	
	AF	4,108,681	08/22/78	Lawson et al.	134	20	
	AG	4,392,917	07/12/83	Lipowski et al.	162	168.1	
	AH	4,460,483	07/17/84	Weaver	252	8.55 R	
	AI	4,480,696	11/06/84	Almond et al.	166	308	
	AJ	4,502,963	03/05/85	Harmon	252	8.5 P	
	AK	4,519,455	05/28/85	Holtmyer et al.	166	305 R	

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subclass	Translation	
							Yes	No
	AL	0 137 538 B1	03/14/90	Europe	C09K	7/06	X	
	AM							
	AN							
	AO							
	AP							

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR		Paper entitled "Chalk Emulsion: A New Completion and Workover Fluid"
			By H.C.H. Darley, July 1972.
	AS		SPE 77497 entitled "Crude Oil Emulsions: A State-Of-The Art Review"
			By Sunil Kokal, dated October 2002.
	AT		Paper entitled "Factors Controlling the Stability of Colloid-
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			Interface Science, dated July 1993.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	AA	4,554,082	11/19/85	Holymyer et al.	252	8.55 R	
	AB	4,627,495	12/09/86	Harris et al.	166	280	
	AC	4,659,486	04/21/87	Harmon	252	8.5	
	AD	4,670,550	06/02/87	Bleeker et al.	536	114	
	AE	4,772,646	09/20/88	Harms et al.	524	27	
	AF	5,021,170	06/04/91	Shumate et al.	252	8.515	
	AG	5,194,422	03/16/93	Mueller et al.	507	136	
	AH	5,232,910	08/03/93	Mueller et al.	507	139	
	AI	5,252,554	10/12/93	Mueller et al.	507	138	
	AJ	5,254,531	10/19/93	Mueller et al.	507	131	
	AK	5,294,353	03/15/94	Dill	252	8.553	

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							Yes	No
	AL							
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	AS		Paper entitled "A Study of the Formation of Water-In-Oil Emulsions" By Mark Bobra.
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	AA	5,318,956	06/07/94	Mueller et al.	507	139	
	AB	5,355,958	10/18/94	Pauls et al.	166	307	
	AC	5,427,699	06/27/95	Pauls et al.	507	244	
	AD	5,489,394	02/06/96	Ford et al.	252	162	
	AE	5,830,483	11/03/98	Seidel et al.	424	401	
	AF	5,869,434	02/09/99	Mueller et al.	507	110	
	AG	5,909,774	06/08/99	Griffith et al.	166	312	
	AH	5,939,081	08/17/99	Ansmann et al.	424	401	
	AI	6,218,342 B1	04/17/01	Patel	507	129	
	AJ	6,268,406 B1	07/31/01	Chatterji et al.	523	130	
	AK	6,315,042 B1	11/13/01	Griffith et al.	166	291	

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							Yes	No
	AL							
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EXAMINER INITIAL		Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	AA	6,422,325 B1	07/23/02	Krieger	175	50	
	AB	6,435,276 B1	08/20/02	Kercheville et al.	166	255.1	
	AC	6,524,384 B2	02/25/03	Griffith et al.	106	705	
	AD	6,596,670 B1	07/22/03	Mueller et al.	507	136	
	AE	6,608,006 B2	08/19/03	Taylor et al.	507	131	
	AF	6,620,770 B1	09/16/03	Kirsner et al.	507	131	
	AG	6,662,871 B2	12/16/03	Kercheville et al.	166	255.1	
	AH	6,666,268 B2	12/23/03	Griffith et al.	166	292	
	AI	6,668,929 B2	12/30/03	Griffith et al.	166	292	
	AJ	6,691,805 B2	02/17/04	Thaemlitz	175	65	
	AK	Re 32,302	12/09/86	Almond et al.	166	308	

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	AS		Paper entitled "UV-Visible Light: A Novel Route to Tune the Type of an Emulsion," by Iolanda Porcar et al., Langmuir 2001, 17, pages 6905-6909.					
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	AA	Re. 36,066	01/26/99	Mueller et al.	507	138	
	AB	4,018,426	04/19/77	Mertz et al.	259	7	
	AC	3,946,994	03/30/76	Mertz et al.	259	7	
	AD	6,410,035 B1	06/25/02	Gers-Barlag et al.	424	401	
	AE	6,645,712 B1	11/11/03	Olijve et al.	430	543	
	AF	5,494,120	02/27/96	Hale et al.	175	72	
	AG	H837	11/06/90	Peiffer et al.	252	8.511	
	AH	US 2001/0009890 A1	07/26/01	Patel et al.	507	138	
	AI	US 2001/0051593 A1	12/13/01	Patel	507	129	
	AJ	US 2002/0033258 A1	03/21/02	Patel	166	278	
	AK	US 2002/0125013 A1	09/12/02	Kercheville et al.	166	304	

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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 2003-IP-012703U1P1	SERIAL NO. unknown
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	AA	US 2002/0148609 A1	10/17/02	Kercheville et al.	166	255.1	
	AB	US 2003/0075360 A1	04/24/03	Patel et al.	175	50	
	AC	US 2003/0114316 A1	06/19/03	Patel et al.	507	138	
	AD	US 2004/0043905 A1	03/04/04	Miller et al.	50	7100	
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subclass	<u>Translation</u>	
							Yes	No
	AL							
	AM							
	AN							
	AO							
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